



Rob McKenna

# ATTORNEY GENERAL OF WASHINGTON

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RECEIVED

AUG 9 2005

Office of  
The State Actuary

August 8, 2005

Matthew M. Smith  
State Actuary  
P. O. Box 40914  
Olympia, WA 98504-0914

Dear Mr. Smith:

This is to acknowledge your recent letter requesting an opinion on whether statutes containing "non-contractual rights clauses" negate contractual obligations of the state to provide gain-sharing benefits in the future. We will take your question under advisement and will contact you when we have more information to provide.

We have determined to process your request as a formal opinion, which means it will be subjected to peer review and submitted to the Attorney General for approval to be published as an official opinion. Our goal is to process formal opinions within 90 days, which includes time for interested parties to submit briefing or information before we begin drafting. We estimate that we will complete this opinion by the end of October. If something happens which requires us to change this timeline, we will contact you again. In the meantime, if you want to check on the progress of the opinion or have additional information to supply, please contact me in writing, by telephone, or by e-mail ([jamesp@atg.wa.gov](mailto:jamesp@atg.wa.gov)).

Sincerely,

JAMES K. PHARRIS  
Senior Assistant Attorney General  
(360) 664-3027

:pmd

